

REMARKS

In the patent application, claims 3-6, 10, 11, 15-17, 19-35, 40, 41, 43, 44, 49, 50 and 53-58 are pending. In the office action, all pending claims are rejected.

On page 2 of the office action, claims 3, 16-17, 19-22, 26-32 and 53-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Wee et al.* (U.S. Patent No. 6,104,441, hereafter referred to as *Wee*), in view of *Hamada et al.* (U.S. Patent Application Publication No. 2002/0135608, hereafter referred to as *Hamada*).

In rejecting these claims, the Examiner states that *Wee* discloses that

if the frame characteristic of that at least one video frame is a second characteristic, then decoding one of said at least one video for providing a decoded video frame and appending said decoded video frame to another image sequence to achieve the video effect (col. 11, lines 9-32).

The Examiner admits that *Wee* fails to disclose providing only one decoded video frame and changing said only one decoded video frame to achieve the video effect. The Examiner points to *Hamada* for providing only one decoded video frame and changing said only decoded video frame to achieve the video effect (paragraphs [0115]-[0117], [0142]-[0144] – wherein reducing the size of the picture to make the thumbnail corresponding to the recited changing operation).

The Examiner further states that, one of ordinary skill in the art would have been motivated to incorporate the teaching of *Hamada* into the method as disclosed by *Wee* in order to allow users to specify a highlight or a characteristic scene (*Hamada*, paragraph [0116]).

Applicant respectfully disagrees.

As shown in Figure 4, *Wee* discloses that when a cut sequence is used to form the tail data stream (block 205). If the first frame in a cut sequence to be appended to another image sequence is a P frame (such as the sequence P₆B₇B₈ P₉I₀... that is cut from an original sequence ...B₁B₂I₃P₄B₅P₆B₇B₈ P₉I₀...), then it is required to decompress as little as four entire frames and perform three re-conversions to achieve the desired splicing. In this particular application, the video effect is image splicing (col.8, line 12 to col.9, line 30).

Hamada discloses a digital video recorder (DVR) for recording and/or reproducing digital broadcast signals, without decoding or re-encoding, as in a data streamer, and in which a disc is used as a recording medium (paragraph [0006]). In reproducing such a recording medium, the increasing volume of data recorded on the recording medium may present a problem in that the pre-playback processing, such as processing as to which program is to be reproduced or from which scene the program is to be reproduced, becomes complicated.

In order to solve the above-mentioned problem, *Hamada* uses two types of thumbnails to mark a clip (an AV stream) and a playlist (a group of playback domains of the AV stream) (paragraph [0082]). One type of the thumbnails is referred to as menu thumbnails and the other is referred to as mark thumbnails. A menu thumbnail is representative of the contents of the AV stream, used in a menu picture in order to permit the user to select the picture desired to be viewed using a cursor. A mark thumbnail is a picture representing a scene pointed by the mark (paragraph [0126]). The creation of a mark thumbnail is illustrated in the flowchart as shown in Figure 30 and the creation of a menu thumbnail is illustrated in the flowchart as shown in Figure 31. After a picture to be the thumbnail picture has been selected or decided, the creation of the menu thumbnail and the mark thumbnail is identical (steps S6-S10 in Figure 30; steps S27-S31 in Figure 31, paragraph [0149]). At this point, the controller 23 captures a picture from the AV encoder 15 and transfers the picture data to a RAM. The captured picture is compressed if it has not been compressed (paragraphs [0144]). Subsequently, the controller 23 creates header information indicative of thumbnail id, size and the number of pixels in the X and Y directions for dividing the compressed picture into units. Finally the picture data split into the header information and block information is written in a file on the recording medium 100 (paragraph [0145]).

In the recording system as disclosed in *Hamada*, the analog video signals and analog audio signals are encoded in three separate encoding steps: 1) first these analog signals are encoded in an AV encoder 15 into encoded video stream (V) and encoded audio stream (A) and AV synchronization (paragraph [0070]); 2) the encoded video and audio streams are multiplexed by a multiplexer 16 into a multiplexed stream and encoded by a source packetizer into an AV stream composed of source packets (paragraphs [0071], [0072]); and 3) the AV stream is processed in an ECC (error correction and coding) unit 20 (paragraph [0072]). However,

Hamada does not disclose or suggest that the picture selected to be the thumbnail picture is decoded as suggested by the Examiner.

Furthermore, it is known that video effects made on a continuous video stream include fade-in, fade-out, color to B/W, cut and splice. Putting a mark on video stream to show where to stop or to start is not a video effect. Here the menu thumbnail and the mark thumbnail are only recorded as independent groups on the recording medium. They are used for marking the recorded picture data on the recording medium so as to allow the user to select the recorded data (Abstract, paragraph [0008]). The thumbnails are not used to achieve a video effect of the recorded picture data.

Even when these thumbnails are used in the video editing system as disclosed in *Wee* for specifying a highlight or a characteristic scene as suggested by the Examiner, the decoding and re-encoding procedure for achieving the video effect, such as cutting and splicing, according to *Wee* does not change. In the video effect achieved by image splicing, *Wee* still needs to decode as little as four entire frames and perform three re-conversions to achieve the desired splicing.

For the above reasons, *Wee*, in view of *Hamada*, fails to render independent claims 3, 16 and 26 obvious.

As for claims 17, 19-22, 27-32 and 53-56, they are dependent from claims 3, 16 and 26 and include further limitations. For reasons regarding claims 3, 16 and 26 above. *Wee*, in view of *Hamada*, also fails to render claims 17, 19-22, 27-32 and 53-56 obvious.

On page 10 of the office action, claims 4-6, 10-11, 15, 35, 40, 41, 43, 44, 49, 50, 57 and 58 are rejected under 35 U.S.C.103(a) as being unpatentable over *Wee*, in view of *Hamada*, further in view of *Naimpally et al.* (U.S. Patent No. 5,477,397, hereafter referred to as *Naimpally*).

The Examiner cites *Naimpally* for disclosing converting VLC coded data into a binary form.

It is respectfully submitted that independent claim 35 includes the limitation of a further module, adapted for decoding said at least one video frame for providing only one decoded video

if the frame characteristic of said at least one video frame is the second characteristic, so as to change said only one decoded video frame for achieving the editing effect.

Independent claim 43 includes the limitation of a code for decoding said at least one video frame for providing only one decoded video frame, if the frame characteristic of said at least one video frame is the second characteristic, decoding said at least one video frame so as to change said only one decoded video frame for achieving the editing effect.

Independent claim 49 includes the limitation of means for decoding said at least one video frame for providing only one decoded video frame if the frame characteristic of said at least one video frame is the second characteristic; and means for modifying said only one decoded video frame for achieving the video effect.

As pointed out earlier, *Wee*, in view of *Hamada*, fails to disclose decoding at least one video frame for providing only one decoded video frame if the frame characteristic of said at least one video frame is the second characteristic and changing or modifying said only one decoded video frame for achieving the video effect.

For the above reasons, *Wee*, in view of *Hamada*, and further in view of *Naimpally*, fails to render independent claims 35, 43 and 49 obvious.

As for claims 4-6, 10, 11, 15, 40, 41, 43, 44, 50, 57 and 58, they are dependent from claims 3, 35, 43 and 49 and include further limitations. For reasons regarding claims 3, 35, 43 and 49 above, *Wee*, in view of *Hamada*, and further in view of *Naimpally*, also fails to render claims 4-6, 10, 11, 15, 40, 41, 43, 44, 50, 57 and 58 obvious.

On page 14 of the office action, claims 23-25 are rejected under 35 U.S.C.103(a) as being unpatentable over *Wee*, in view of *Hamada*, further in view of *Abe* (U.S. Patent No. 6,618,491). The Examiner cites *Abe* for disclosing a bitstream comprising video and audio data.

It is respectfully submitted that, claims 23-25 are dependent from claim 16 and include further limitations. For reasons regarding claim 16 above, claims 23-25 are also distinguishable over the cited *Wee*, *Hamada* and *Abe* references.

On page 15 of the office action, claims 33 and 34 are rejected under 35 U.S.C.103(a) as being unpatentable over *Wee*, in view of *Hamada*, further in view of *Ikonen* (U.S. Patent

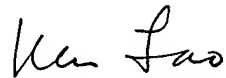
Application Publication No. 2003/005329). The Examiner cites *Ikonen* for disclosing a Bluetooth connectivity mechanism.

It is respectfully submitted that, claims 33 and 34 are dependent from claim 26 and include further limitations. For reasons regarding claim 26 above, claims 33 and 34 are also distinguishable over the cited *Wee*, *Hamada* and *Ikonen* references.

CONCLUSION

Claims 3-6, 10, 11, 15-17, 19-35, 40, 41, 43, 44, 49, 50 and 53-58 are allowable. Early allowance of claims 3-6, 10, 11, 15-17, 19-35, 40, 41, 43, 44, 49, 50 and 53-58 is earnestly solicited.

Respectfully submitted,



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